

REMARKS

Applicant has carefully reviewed and considered the Office Action of November 2, 2005, including the cited prior art. In response to this Office Action, Applicant has amended independent claim 1 to more distinctly point out and claim the invention. In addition, claim 3 has been canceled, claims 6 and 7 have been added, and claim 4 has been amended to overcome Examiner's objection regarding the use of an acronym.

Claim 1 stands rejected under 35 U.S.C. § 102(b) as unpatentable over Dougherty (United States Patent Number 4,937,757). Dougherty is directed towards building a customized, microprocessor driven, trip curve and discloses a digital circuit interrupter including a microprocessor that utilizes programmable trip curves to determine when to interrupt a monitored circuit. More particularly, Dougherty discloses the use of an I^2t curve; i.e.; a thermal limit curve; as one possible trip curve, or the starting point of a trip curve. However, Dougherty does not disclose a trip curve that includes a combination of an inverse time overcurrent curve and a thermal limit curve, with the thermal limit curve controlling the trip time for current values greater than some preselected trip value. Accordingly, no trip curve with the specific attributes of presently amended claim 1 is disclosed.

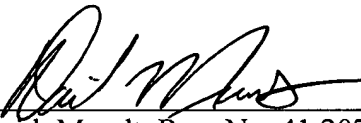
Similarly, and since applicant also finds no disclosure of the trip curve as claimed in claim 1 of the present invention in Bilac (United States Patent Number 4,672,501), applicant respectfully submits that any obviousness rejection relying on the combined disclosure of Dougherty and Bilac cannot be sustained. If Examiner should find claim 1 allowable, the remainder of the claims should be allowable as well, as they are dependent on claim 1, and incorporate all of claim 1's limitations.

Applicant submits that in light of the amendments made within this response, this

application is now in condition for allowance. However, should Examiner be of the opinion that further amendment or response is required, Applicant encourages Examiner to contact the undersigned attorney at the telephone number set forth below. Further, although no additional fees are believed to be due at this time, the Commissioner is authorized to charge any additional fees or deficiencies or credit any overpayments to Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd., Deposit Account No. 50-1039 with reference to attorney docket number 1444-0094.

Respectfully submitted,

COOK, ALEX, McFARRON, MANZO,
CUMMINGS & MEHLER, LTD.

By: 
David Mundt, Reg. No. 41,207

200 West Adams Street
Suite 2850
Chicago, Illinois 60606
(312) 236-8500

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